

Response to FEC April Quarterly Report audit letter for committee C00435974

1. Contributions received after the primary date but designated for the primary were indeed all used to reduce our outstanding primary debt.

2. There are contributions on Schedule A that exceed the standard allowed maximums. These contributions were allowed under the "millionaire's amendment" and are marked as such.

In the case of John Gaburick:

\$2,300 of 1/28/2008 designated for Primary during time period where limit increased due to Opponent's spending

\$2,300 originally donated on 6/6/07 for the General was redesignated by the contributor in writing to the primary on 1/25/08 as allowed during time period where limit increased due to Opponent's spending. Memo text documenting this was filed but the election cycle was inadvertently unchanged from General. Election cycle will be changed to Primary and included in amended report.

\$2,300 dated 3/27/2008 is the new contribution to the General election by this contributor.

In the case of Howard Klein, the \$2,000 contribution on 3/3/08 was allowed where limit increased due to Opponent's spending and was so indicated.

In the case of Aris Melissaratos, the contribution of \$2,300 dated 2/28/2008 on the report was a typo. The date of the contribution should be 2/23/08 and the amended report will show this correction. This specific contribution was allowed during time period where limit increased due to Opponent's spending.

3. Election Cycle-to-Date fields were corrected using the software correction in the file merge function in FECfile v6.2.1.0 and are reflected in our amended report.

4. We tried to file a 48 Hour Notice on the evening of February 1, 2008 of January 31st contributions. We discovered that FEC Tech Support had changed our password while working on an earlier problem. We could not obtain a new password because there is no support on evenings and week-ends. We were therefore not able file a standard 48 Hour Notice nor were we able to file an online web form 6, i.e. 48 Hour Notice of Contributions/Loans Notice Received. Left with no other electronic alternative, we faxed the completed Form 6 on the evening of 2/1 for contributions dated 1/31 reporting within the 48 hour limit. The FEC help desk informed us that they had received the fax and our form 6 was scanned into the reports database. However, that report is mislabeled as a miscellaneous rather than the 48 hour notice and it has the wrong date for submission. We contacted our analyst and informed her of the problem. At her direction, we filed a Form 99 explaining the problem with the filing as best we could.

5. We tried to file a 48 Hour Notice during the week of 2/5/08. There apparently was a problem with the FEC server. We say this because we received no acceptance notice for the upload report. After waiting a significant amount of time, we uploaded the same 48 Hour Notice again. Again we received no acceptance notice. We then decided to submit a web form 6 in order to be sure the 48 Hour Notice had been processed by the FEC. Apparently, all 3 submissions queued up and were eventually processed even though we never got the two acceptance notices. The contributions as reported on Schedule A are correct.

6. Our report and our file indicated that we checked the personal funds box on the 13(a) loan record to indicate the

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